

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 17, 1952
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Councilman Johnson moved that the Minutes of the last meeting be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

MR. S. B. PRICE, representing a group of merchants and property owners on Congress Avenue, protested any change from one-hour parking to thirty-minute parking on Congress Avenue. MR. F. J. AMSLER, E. M. Scarbrough & Sons, was spokesman of this group, and spoke in favor of retaining the one-hour parking as thirty-minute parking was an inadequate period for most shoppers to accomplish their shopping; and felt that some businesses would be hurt 25 or 30% with thirty-minute parking meters. He feared decrease in rental and taxable value of property on Congress. COUNCILMAN MacCORKLE asked if anyone could offer a solution to the parking problem, which he felt should be taken care of by private enterprise rather than by government. MR. AMSLER stated he had not attended any meetings where full consideration had been given to the parking problem, but he felt a majority of retail merchants would be hurt by 30-minute parking on the Avenue. MR. JOHN VAUGHT spoke for a group favoring 30-minute parking, and stated it would help his business, even though it might not be the whole solution to the problem, as each business had its own problems. The City Manager stated he was not able to give a complete report of the study made at this time, but basically the study reflected that in 1951, 41% parked 20 minutes or less; In 1952, 48% parked 20 minutes or less; 22% parked for 40 minutes or somewhere between 20 and 40 minutes, and 12% parked for a longer period of time. He felt the situation could be alleviated by installation of 30-60 minute parking meters, whereby a nickle would entitle 30 minute parking, and a dime, one-hour parking. This would eliminate

all-day parkers, and make parking meters available to more people. He stated, however, he would like to defer any specific recommendation until the following week, and that he would be happy to meet with any group for discussion of the parking problem at any time. MR. AMSLER stated this plan had merit, but he could not speak for the whole group on this point. MR. VAUGHT stated this recommendation was excellent. MAYOR DRAKE and COUNCILMAN LONG asked for a study and for figures of the number of cars that parked all day.

The Council received a petition from MR. G. D. PORTER and 31 others living on Route 2 in the vicinity of the Pleasant Hill Community requesting better water pressure. MR. PORTER introduced several members of his group and spoke for them and outlined the situation in that area. The City Manager explained the early development of this line which was not constructed by the City; that the developers had permitted people to tie on to the line, and it was now inadequate. He stated that serious consideration is being given to the installation of a larger line down the highway which would take care of the entire situation if it developed. The Mayor explained that like problems existed in other sections of the city, and would be remedied just as soon as possible. Question was raised as to whether or not permits would be issued for building and thus let people continue to hook on to that line. It was stated the city would not aggravate the situation, and the people would all be told there was no water.

MR. A. E. STABENO, who lives on Ridgeway Road in Crestview Addition, appeared in the interest of having his home connected directly to the City water lines, as he is now on a neighbor's line. He was referred to Mr. Albert Davis and the City Manager stated that if the City had a line there, he would be taken care of.

MRS. MAUDE PRIDGEN asked consideration of her former request and petition that the name of East Avenue be changed to BROADWAY. The Mayor and Councilman Johnson felt it would be some time before the expressway would be entirely completed and they would not like to make a decision at this time. Councilman Long suggested that Mrs. Pridgen take the matter before the Chamber of Commerce. The Mayor stated further consideration would be given to this matter at some time when the Council was not faced with such a heavy docket.

MR. BILL BAILEY complained that he had received a second notice to pay his water bill, earlier than he was ordinarily required, and also the bill was too large. The Mayor advised him that this matter was still under the jurisdiction of Water District No. 3 entirely, as the City had not taken it over.

The City Manager discussed with the Council, off record, the situation regarding the bathhouse at the City Park, stating the group that had been charged with burning it could raise \$8,000 towards replacing it. He stated the concern of the City was the restitution of the bathhouse for as much as it could get. No definite action was taken, and this discussion was not for record.

The City Manager submitted the following memorandum:

July 15, 1952

"Following is a tabulation of the bids received Friday, July 11, 1952 for the construction of approximately fifty-two (52) blocks of thoroughfare type paving known as Paving Assessment Contract # 4.

| | |
|------------------------------|---------------|
| Collins Construction Company | \$ 398,752.39 |
| Brown & Root, Inc. | 412,204.11 |
| H. B. Zachry Company | 426,393.47 |
| Russ Mitchell | 454,793.55 |

Estimated cost by City - \$ 398,070.50

The Collins Construction Company is low bidder on this project and I recommend that they be awarded the contract. "

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by ordinance duly passed on the 19th day of June, 1952, the City Council ordered the permanent improvement of certain portions of public streets designated therein in accordance with plans and specifications on file with and approved by the City Council; and,

WHEREAS, pursuant to such ordinance, the City Manager advertised for bids for the construction of such improvements, and bids were received and opened, all as provided by the Charter of the City of Austin and the laws of the State of Texas; and,

WHEREAS, the bid of Collins Construction Company in the amount of Three Hundred Ninety-eight Thousand Seven Hundred Fifty-two and 39/100 (\$398,752.39) Dollars was the best and lowest responsible bid; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Collins Construction Company in the amount of Three Hundred Ninety-eight Thousand Seven Hundred Fifty-two and 39/100 (\$398,752.39) Dollars be and it is hereby accepted, and the contract for the construction of the improvements ordered by the ordinance passed June 19, 1952, be and it is hereby awarded to Collins Construction Company.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor introduced the following resolution and announced it would lay over for public inspection in the City Clerk's Office for one week:

(RESOLUTION)

WHEREAS, by ordinance duly passed on the 19th day of June, 1952, the City Council ordered the permanent improvement of portions of public streets as designated in such ordinance, in accordance with the plans and specifications for such improvements heretofore filed with and approved by the City Council; and,

WHEREAS, pursuant to such ordinance the City Manager advertised for bids for the construction of such improvements, and bids were received and opened and the bid of Collins Construction Company being the lowest and best responsible bid, the Contract for the construction of such improvements has been awarded by the City Council to Collins Construction Company; and,

WHEREAS, the Director of Public Works has estimated that the part of the contract price for such work to be paid by the City of Austin is the sum of One Hundred Fifty Thousand and no/100 (\$150,000.00) Dollars, Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS;

That the sum of One Hundred Fifty Thousand and no/100 (\$150,000.00) Dollars be and the same is hereby appropriated from General Funds of the City set apart in the current budget for street improvements to defray the cost of such construction under such contract which is to be paid by the City of Austin.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on October 10, 1951, a sidewalk release was executed on Lots 29, 30, and 31, Sunnydale Subdivision in the City of Austin, which instrument appears of record in Volume 1205 at pages 421-422, of the Deed Records of Travis County, Texas; and,

WHEREAS, on May 1, 1952, the City of Austin, acting by and through W. E. Seaholm, City Manager, executed a release of the obligations imposed on such lots by such sidewalk release, which instrument appears of record in Volume 1059 at page 443, of the Deed Records of Travis County, Texas; and,

WHEREAS, the resolution heretofore adopted by the City Council on February 7, 1952, authorizing the City Manager to execute the last mentioned instrument, erroneously authorized the execution thereof only as to Lots 30 and 31; and,

WHEREAS, it was the intention of the City Council to authorize the execution of a release of the obligations imposed upon all three lots; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the instrument of record in Volume 1059 at page 443 of the Deed Records of Travis County, Texas, releasing Lots 29, 30, and 31, Sunnydale Subdivision, from the obligations imposed by the sidewalk release recorded in Volume 1205 at pages 421-422 of the Deed Records, is hereby in all things ratified and confirmed.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in FORTVIEW ROAD, from Manchaca Road westerly 414 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said FORTVIEW ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in WEST 41ST STREET, from Jackson Avenue to Bull Creek Road, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WEST 41ST STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to

said company by the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the application of the State Headquarters, Veterans of Foreign Wars, to construct and maintain a basement in the sidewalk area adjoining Lot 12, Block 121, of the Original City of Austin, on the east side of San Jacinto Street and the south side of East Eleventh Street, said basement to extend to a point ten feet west of the west property line of said lot and run approximately 128 feet parallel to San Jacinto Street and to extend a point ten feet north of the north property line thereof and run approximately 46 feet parallel to East Eleventh Street, be and the same is hereby granted and the Building Inspector is hereby authorized to issue a permit for the construction of such basement, said grant and permit to be subject to the following conditions:

1. The basement shall be constructed and maintained in compliance with all ordinances relating thereto,
2. The permit shall be issued and accepted subject to all reasonable police, traffic, fire, and health regulations of the City of Austin, now existing or hereafter adopted,
3. The City of Austin may revoke such permit at any time and upon such revocation the owner of the building will construct the necessary walls and footing to separate such basement space from the building and pay all costs and expenses attendant therewith.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Mayor Drake introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING THE SPEED LIMIT FOR MOTOR VEHICLES IN THE CITY OF AUSTIN AND ESTABLISHING THE MAXIMUM, REASONABLE AND PRUDENT SPEED LIMIT ON CERTAIN DEFINED STREETS; PROVIDING A PENALTY FOR THE VIOLATION OF SAME; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN SEPTEMBER 2, 1948, AND IS RECORDED IN BOOK "N", PAGES 291-293, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 2 RELATING TO

SPEED LIMITS ON CERTAIN STREETS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the second time, and Councilman MacCorkle moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The ordinance was read the third time, and Councilman MacCorkle moved that the ordinance be finally passed. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman MacCorkle offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the final plat of the subdivision known as "Lamar Village", approved by the City Plan Commission of the City of Austin on January 24, 1952, be and the same is hereby accepted and authorized to be filed of record in the office of the County Clerk of Travis County, Texas, in accordance with the provisions of the laws of the State of Texas, and the ordinances of the City of Austin, and that this action of the City Council be indicated by appropriate notation, signed by the Mayor, on the original plat of said subdivision prior to its recording in the Plat Records of Travis County, Texas.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Manager of the City of Austin advertised for bids for the construction of an eight (8") inch water line to Bluffington Subdivision including the Colorado River Crossing; and,

WHEREAS, the following bids were received and opened, all as provided for by the Charter of the City of Austin, and the laws of the State of Texas:

| | |
|----------------------------|-------------|
| Joe Bland Construction Co. | \$19,686.40 |
| Karl B. Wagner | 23,912.00 |
| Roger Smith | 24,480.74 |

and,

WHEREAS, it appears that the bid of Joe Bland Construction Co. is the best and lowest responsible bid; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

That the bid of Joe Bland Construction Co. in the amount of Nineteen Thousand Six Hundred Eighty-six and 40/100 (\$19,686.40) Dollars be and it is hereby accepted, and the contract for the construction of the eight (8") inch water line to Bluffington Subdivision, including the Colorado River Crossing, be and it is hereby awarded to the said Joe Bland Construction Co.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Eloise Lloyd, Guardian of Oscar Collier Estate, in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to

enter into a contract on behalf of the City of Austin with Thomas E. Blair, Jr. in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council.

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long, noting a child had drowned at Deep Eddy the past week, asked for a complete investigation of the swimming pools and whether or not the life guards were too immature and too young for such a job. Councilman Long moved that the City Manager make a thorough investigation of our swimming pools to see if they are properly staffed by mature lifeguards, and report back to the Council. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman White submitted a letter from a group of people concerned over the condition of Shoal creek and the adjoining city property that lies between Hancock and Northland Drive, stating that the water is stagnant; there is a great deal of undergrowth; gnats, flies, etc., and asked that the situation be remedied immediately.

Councilman White submitted a letter from Dr. R. E. Farnsworth regarding the condition of Shoal creek from Hancock Drive to Northland Drive running parallel and south of Shoal creek Blvd. He asked that this area be cleared and that the dams along the creek be abolished so as to permit the water to run through.

Councilman Long reported that the area at the end of West 25th, which is a dead end street, and which area is City property, was grown up in Johnson Grass and should be cleaned. Councilman White reported a bad condition of Johnson Grass growing in the creek near the new bridge down by the water plant.

The Council received notice that the following application for change of zoning had been referred to the Zoning Commission:

| | | |
|----------------------|---------------------|--------------------|
| MACE B. THURMAN, JR. | 5600 & 5700 Blks. | From "A" Residence |
| R. L. RHODES & J. T. | Interregional High- | To "C" Commercial |
| HEWLETT | way and 1001-05 | |
| | Reinli Street | |

There being no further business, the Council adjourned subject to the call of the Mayor.

APPROVED: W. S. Drace
Mayor

ATTEST:

Elin Hoosley
City Clerk